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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.                | CONFIRMATION NO.       |
|---|-------------|----------------------|------------------------------------|------------------------|
| 10/809,628  | 03/25/2004  | Nagaraja Rao         | 2003P04328 US01                    | 7484                   |
| 7590  |             | 09/12/2007           |                                    |                        |
| Elsa Keller<br>Siemens Corporation<br>Intellectual Property Department<br>170 Wood Avenue South<br>Iselin, NJ 08830 |             |                      | EXAMINER<br>OKORONKWO, CHINWENDU C |                        |
|   |             |                      | ART UNIT<br>2136                   | PAPER NUMBER           |
|   |             |                      | MAIL DATE<br>09/12/2007            | DELIVERY MODE<br>PAPER |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/809,628

Applicant(s)

RAO ET AL.

Examiner

Chinwendu C. Okoronkwo

Art Unit

2136

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 20040816
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Priority***

1. Applicant's claim for the benefit of a prior-filed application under 35 U.S.C. 119(a)-(e) or under 35 U.S.C. 120, 121, or 365(c) is acknowledged, however the priority claim is made invalid as the priority protection is now expired. Priority is claimed under Provisional Applications 60/457349.

### ***Information Disclosure Statement***

2. For the record, the Examiner acknowledges that the IDS submitted on 08/16/2004. It has been received and considered.

### ***Oath/Declaration***

3. For the record, the Examiner acknowledges that the Oath/Declaration submitted on 03/25/2004 has been received and considered.

### ***Drawings***

4. For the record, the Examiner acknowledges that the Drawings submitted on 03/25/2004 have been received and considered.

### ***Specification***

5. For the record, the Examiner acknowledges that the Specification submitted on 03/25/2004 has been received and considered.

6. Pursuant to USC 131, claims 1-16 are presented for examination.
7. Claims 1-16 are pending.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 1-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lumme et al. (US Patent Application Publication No. 2002/0049913 A1).

Regarding claim 1, Lumme et al., discloses a method for securing lawful intercept related data collected by a switch of a telecommunications service provider and stored in a database associated with the switch, comprising the steps of:  
encrypting that portion of the database including the intercept related data (col. 4 lines 62-67 and col. 5 lines 1-3).

Lumme et al. does not explicitly disclose preventing another entity outside the telecommunications service provider from decrypting that portion of the database including the intercept related data without authorization

from the telecommunications service provider, however it would have been obvious for one of ordinary skill in the art, at the time of the invention, to modify the interception system and method of Lumme et al. to protect the intercepted data in such a way as to prevent another entity outside the telecommunications service provider from decrypting that portion of the database. The benefit of this modification would be that the intercepting entity maintains the objective of the interception, namely to collect information/data to be used specifically by the requesting/proper law enforcement organizations.

Regarding claim 2, Lumme et al., discloses the method according to claim 1, further comprising the step of creating a logical key at the telecommunications company that allows that portion of the database including the intercept related data to be decrypted (col. 8 lines 47-67 and col. 9 lines 52-56).

Regarding claim 3, Lumme et al., discloses the method according to claim 1, further comprising the step of inserting the logical key into that portion of the database including the intercept related data to be encrypted (col. 4 lines 62-67 and col. 5 lines 1-3).

Regarding claim 4, Lumme et al., discloses the method according to claim 1, further comprising the step of creating the key creates a software key that is used

for the encryption of that portion of the database including the intercept related data (col. 10 lines 66-67 and col. 11 lines 1-39).

Regarding claim 5, Lumme et al., discloses the method according to claim 1, further comprising the step of blocking access to display commands that cause that portion of the database including the intercept related data to be displayed by the switch (col. 3 lines 26-36).

Regarding claim 6, Lumme et al., discloses the method according to claim 1, further comprising the step of sending the database to a vendor with that portion of the database that is encrypted (col. 3 lines 56-59).

Regarding claim 7, Lumme et al., discloses the method according to claim 6, further comprising the step of upgrading by the vendor without the need to decrypt or otherwise provide access to the sensitive intercept related data (col. 8 lines 47-67 and col. 9 lines 52-56).

Regarding claim 8, Lumme et al., discloses the method according to claim 1, further comprising the step of storing programming code for controlling the switch in that portion of the database including the intercept related data (col. 3 lines 26-59).

Regarding claim 9, Lumme et al., discloses the method according to claim 1, further comprising the step of providing protection for the intercept related data in accordance with a lawful intercept legislation (col. 1 lines 32-52).

Regarding claim 10, Lumme et al., discloses the method according to claim 9, wherein the lawful intercept legislation is CALEA (col. 1 lines 32-52).

Regarding claim 11, Lumme et al., discloses an apparatus for securing intercepted telecommunications data collected by a telecommunications service provider, comprising: a database for storing the intercept related data (col. 3 lines 26-59); and a logical key at the telecommunications company that allows that portion of the database including the intercept related data to be decrypted (col. 10 lines 66-67 and col. 11 lines 1-39).

Regarding claim 12, Lumme et al., discloses the apparatus according to claim 11, further comprising a switch at the telecommunications service provider (col. 1 lines 31-32).

Regarding claim 13, Lumme et al., discloses the apparatus according to claim 11, wherein the logical key is a software key that used for the encryption of that portion of the database including the intercept related data (col. 10 lines 66-67 and col. 11 lines 1-39).

Regarding claim 14, Lumme et al., discloses the apparatus according to claim 11, further comprising a vendor switch (col. 1 lines 31-32).

Regarding claim 15, Lumme et al., discloses the apparatus according to claim 14, wherein the vendor switch is programmed to prevent display of commands that cause that portion of the database including the intercept related data to be displayed (col. 1 lines 20-41).

Regarding claim 16, Lumme et al., discloses the apparatus according to claim 11, wherein the database includes upgradeable control data for controlling the switch (col. 10 lines 66-67 and col. 11 lines 1-39).

### ***Conclusion***

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chinwendu C. Okoronkwo whose telephone number is (571) 272 2662. The examiner can normally be reached on MWF 9:30 - 7:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nasser Moazzami can be reached on (571) 272 4195. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



CCO

September 5, 2007

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9, 7, 07